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Government of Kerala
കേരള സർക്കാർ
2009



Reg. No. റജി. നമ്പർ
KL/TV(N)/12/2009-2011

KERALA GAZETTE

കേരള ഗസറ്റ്

PUBLISHED BY AUTHORITY

അധികാരികമായി പ്രസിദ്ധീകൃതമായ

Vol. LIV
വാല്യം 54

THIRUVANANTHAPURAM, TUESDAY
തിരുവനന്തപുരം, കേരളം

17th November 2009
2009 നവംബർ 17
26th Karthika 1931
1931 കാർത്തികം 26

No. നമ്പർ
45

PART IB

Notifications and Orders issued by the Kerala Public Service Commission

NOTIFICATION

No. DE III (2) 8290/09/EW.

27th October 2009.

DEPARTMENTAL TEST FOR LEGAL ASSISTANTS — OCTOBER, 2009

1. Applications are invited from Legal Assistants in the Law Department and other Departments/Institutions (who have not passed the Bar Council Examinations) and also from candidates belonging to other Departments/Institutions for whom this test has been made obligatory and Confidential Assistants including Office Superintendents and Typists including Office Superintendents of Law Department who possess the requisite Law Qualification for Admission to the Departmental Tests for Legal Assistants prescribed in G. O. (Ms.) 158/Public (Special Department), dated 6-5-1964 as modified by G. O. (Ms) No. 39/75/PD dated 26-2-1975 and G. O. (Ms) No. 27/2/GAD dated 16-1-2002.

Note:—The Legal Assistants Grade-I and Confidential Assistants (Including Office Superintendents) and Typist (including Office Superintendents) of the Law Department who possess LL.B Degree of any University in which the subjects for LL.B Examination cover the syllabus prescribed for I & II papers under Part I of the Departmental Test will be exempted from passing papers I & II under Part I of the Departmental Test for appointment as Sections Officer, Law Department [vide (1) G. O. (Ms) No. 157/77/GAD dated 31-5-1977, (2) G. O. (Ms) No. 505/80/GAD dated 28-10-1980].

2. The examination will be held according to the syllabus given in Annexure A. The exact date and venue of the test will be notified in due course.

3. Test will be open to (1) All Legal Assistants (Irrespective of Grades) who have not passed the Bar Council Examination. (2) Persons already appointed as Superintendents in Law Department and holding the post by virtue of the temporary exemption granted to them from passing the Bar Council Examination and (3) The Confidential Assistants including Office Superintendents and Typists including Office Superintendents of the Law Department who possess the requisite Law qualification (4) Candidates belonging to other Departments/Institutions for whom this test has been made obligatory.

4. The test can be passed part-by-part or paper-by-paper.

5. Those who have already passed any part or paper of the Old Bar Council Examination will be treated as exempted from passing the corresponding part or paper of the test.

6. The prescribed fee for admission is Rs. 200 for the whole test (4 papers) Rs. 100 for each part (2 papers) and Rs. 50 for each paper.

Note:—(1) Where a test is prescribed as part of the probation or training of an officer whether recruited direct or by transfer or for the purpose of making him eligible for increment or for confirmation in any post, or for promotion to a higher post, or where it is prescribed as a qualification necessary for an Officer to continue in his post without penalty, or where it has been newly imposed on persons already in the service concerned no fee will be levied. This concession will however, be limited to one chance for each test and from the second chance onwards fees will be levied as prescribed, subject to the following proviso:

“For the above purpose the mere fact of having applied for a test in full or in part or in papers will be taken to mean that the candidates have appeared for the whole test and that appearance for any part or paper of the test will also be treated as appearance for the full test”.

- (2) The Heads of Departments and Offices will furnish in the application forms a certificate to the effect that the entries in the application forms are correct and where no fee is paid that the candidate is eligible for exemption from payment of fee in accordance with the provisions of G. O. (Ms.) No. 336/68/PD dated 6-11-1968 and G. O. (Ms.) No. 26/76/PD dated 25-1-1976.
- (3) The certificates at the bottom of the forms under Annexure B should be signed by the Head of the Departments or Office where the candidate is serving. Applications which are not in the prescribed form or defective in any respect will be rejected.

7. The prescribed fee must be paid either into a State Government Treasury under the head of Account “0051-(105) State Public Service Commission (99) Examination Fee”. The chalan receipt in original is to be attached with the application in the former case. Duplicate or triplicate receipt or interim receipts or certificates of remittance will not be accepted. In the case of candidates residing outside the State crossed Postal Orders for the prescribed fee (Payable to the Secretary, Kerala Public Service Commission, Thiruvananthapuram) will also be accepted.

8. The fee paid by a candidate will not be refunded or adjusted towards a future examination on any account. Candidates are therefore warned that they should satisfy themselves before sending their applications that the applications are in the forms prescribed, and that the particulars required in the forms are given fully and correctly.

9. *Applications and Admission Ticket should be printed on both sides of A4 size paper as prescribed in Annexure B to this Notification.* It should be addressed to the Joint Secretary (Department Tests), Kerala Public Service Commission, Pattom, Thiruvananthapuram-695 004 with the superscription “Application for Admission to the Departmental Tests for Legal Assistants—October 2009” and should be sent so as to reach this office before 5 p.m. on 16-12-2009. In the case of candidates from Lakshadweep Islands the last date for receipt of applications is upto 29-12-2009.

The name and address of the applicant should be stated at the bottom left hand corner of the envelope.

Applications received after the date and time specified above will not be admitted. Applications addressed to the Chairman or Members of the Commission or to the Secretary by name also will not be accepted.

10. Candidates who anticipate delay in getting their applications countersigned, may, if they so desire submit advance copies of their applications with the original chalan receipt. The original applications duly countersigned should be sent so as to reach this office within a fortnight after the last date prescribed in paragraph 9 above.

11. No notice will be taken of requests from candidates for permission to change the part or paper already specified in the application.

12. No form of acknowledgement other than that required by the postal rules regarding registered covers will be given about the receipt of applications in the Office of the Commission or will any notice be taken of letter from candidates enquiring about the receipt of applications.

13. A candidate who applies for admission to the test will abide by all the rules now in force and which may thereafter be brought into force in respect of the test.

14. Any candidate who does not behave properly towards the Chief/Assistant Superintendents of the Test, if found to have any recourse to malpractice of any kind, will have his/her examinations invalidated and his/her case will be reported to the Head of Department and to the Director of Vigilance Department for disciplinary action. The same penalty will be imposed on any candidates who attempts to canvass or to bring influence to bear on an Examiner or a Member of the Commission or their staff in connection with the test or on whose behalf such attempt is made by any relative, friend, patron, official or other person.

15. All communications intended for the Commission must be in writing and addressed only to the Joint Secretary (Departmental Tests), Kerala Public Service Commission, Pattom, Thiruvananthapuram-4.

16. Applications with the following defects will also be rejected.

- (a) Application not having any proof for remittance or prescribed fee.
- (b) Photograph of the applicant not affixed on the Application/Admission Ticket.
- (c) Photograph not clear.
- (d) Photograph not attested by Head of Office/Department.
- (e) Designation Seal not affixed on the photograph.
- (f) Name of the attesting authority not mentioned.
- (g) Subject specifications in the application not clear.
- (h) Designation of the applicant not specified.
- (i) Office Seal of the attesting authority not affixed.
- (j) Certificate portion in Application and Admission Ticket not attested.
- (k) Applicant claimed for free chance, but not duly certified by the Head of Office concerned.
- (l) Applicant not eligible for exemption from remitting exam fee, but applied for free chance.
- (m) Applicants already availed free chance apply for free chance again for a part of the test.
- (n) Application with insufficient fee.
- (o) Applications not signed by candidates.
- (p) Application received after the last date fixed for receipt of application.
- (q) Applications not in the form prescribed.

17. The time table and further instructions regarding the test will be published in due course.

P. C. BINOV,
Secretary.

ANNEXURE-A

SYLLABUS FOR THE DEPARTMENTAL TEST FOR LEGAL ASSISTANTS

Part-I

I Paper—Code of Civil Procedure and Civil Rules of Practice.

II Paper—Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and Criminal Rules of Practice.

Part-II

I Paper—The Kerala Stamp Act, 1959.

The Kerala Court Fee and Suits Valuation Act, 1960

II Paper—The Indian Limitation Act, 1963.

The Kerala Civil Courts Act, 1957.

The Kerala High Courts Act, 1959 and the Small Cause Courts Act (Act VII of 1957).

Time and marks:—Each paper will be of three hours duration. The total marks for each paper is 100 and the minimum required for a pass is 40.

ANNEXURE-B

KERALA PUBLIC SERVICE COMMISSION

APPLICATION FOR ADMISSION TO DEPARTMENTAL TEST (SPECIAL TEST)
(OCTOBER 2009)

Here affix a recent
 Passport Size
 Photograph of the
 candidate attested by
 Head of Office,
 Name, Designation
 and signature of Head
 of Office/ Dept. with
 Office Seal.

1. Name of the candidate (in Block letters) :
2. Address to which communications are to be sent :
3. Name of the post now held and office in which the candidate is working :
4. Qualifications :
5. Name of the Part/Parts & paper/papers applied for :
6. (a) Name of the Part/Parts & paper/papers already passed by the candidates showing the full details thereof (Reg. No. Year/Chance etc.) :
- (b) Specify Reg. Nos. of previous attempt if any :
7. Number of chances already availed of by the Candidate :
8. Specify the period of training undergone by the candidate, if any :
9. Amount of fee remitted and the mode of Remittance (No. and the date of chalan and amount) : Rs.....Chalan No.....
Date.....
10. If exempted from payment of fee, how exempted Give Details
11. Whether the candidate has already availed of Free chance for the test :
12. No. and Date of Government Order granting the additional chances for the candidate in case he/she has already availed himself/herself of three chances (Do not fill up if not applicable) :

DECLARATION

I declare that the particulars furnished above are correct.

Place:

Date:

Signature of the candidate.

CERTIFICATE

1. Certified that the entries in the application form are correct and that the candidate is eligible to appear for this test as per the concerned Government Orders.
2. Certified (where no fee is paid) that the candidate is eligible for exemption from payment of fee as per G. O. (Ms.) No. 336/68/PD dated 6-11-1968 as modified by G. O. (Ms.) No. 26/76/PD dated 25-1-1976 that this is the first free chance availed of by the candidate.
3. Certified that necessary entries have been made in the Service Book of the candidate as required in G. O. (Ms.) 367/69/PD dated 15-12-1969.
4. Certified that the applicant has undergone the required training and is eligible to appear for the test and that the particulars furnished in this application are correct.

Name, Designation and Signature of the

Station :

Head of Office/Department

Date :

with Office Seal

(Office Seal)

Note:—1. The entries in each column should be legible and complete.

(Applications which are defective in any respect are liable to be rejected)

2. Certificates 2 and 3 may be scored off if fee is remitted.
3. A candidate should not send more than one application.
4. Application not in the prescribed forms will be summarily rejected.
5. Certificate 4 is applicable to Divisional Accountants only. It may be scored off in case of other tests.

KERALA PUBLIC SERVICE COMMISSION
DEPARTMENTAL TEST FOR LEGAL ASSISTANTS, OCTOBER 2009

ADMISSION TICKET

Admission Ticket
Number

Here affix a recent
Passport Size
Photograph of the
candidate attested by
Head of Office.
Name, Designation
and signature of Head
of Office/ Dept. with
Office seal.

Name of Centre

(To be filled up by the Office)

1. Name of the candidate : _____

2. Address to which communications are to be sent : _____

3. Name of Test/Paper (To be filled up by the Candidate) :
(same as entered in Col. 5 of the application)

Signature of the candidate.

The candidate whose photograph and signature given above are identified by me.

Station :

Signature, Name and Designation of the

Date :

Head of Office with Office Seal.

(see instruction overleaf)

(Office Seal)

For Office use only

Date of issue

Secretary,

Issuing Assistant

Kerala Public Service Commission.

(Office Seal)

N.B.:— (i) The candidate should write his/her name and postal address in the space provided for the purpose overleaf (same as entered in Col. 2 of the application).

(ii) Recent Passport Size Photograph of the candidate is to be affixed in the space provided on the top of the Admission Ticket and should be attested by the Head of Office.

(iii) Head of Office means the Drawing and Disbursing Officer or his/her Gazetted Superior Officer.

INSTRUCTIONS TO CANDIDATES

1. The examination will be held in accordance with the time-table, which will be published in Part IB of the Kerala Gazette. The time-table will also be available for reference in the Office of the K. P. S. C., Thiruvananthapuram, all District Offices of the K. P. S. C., all District Collectories, all Taluk Offices, all District Information Offices and all Centres of the Departmental Tests. The time-table will not be issued to the candidates individually. *The candidates will sign against his/her name in the list of candidates at the time of the examination, failure on which will result in the invalidation of his/her answer scripts.*
2. *Candidates will not be admitted to the examination unless they present to the chief Superintendents with their Admission Tickets (with their recent passport size photograph affixed on the space provided) and duly identified by the Head of the Office or Institution where they are working.* The candidates are advised to arrive at the examination centre half an hour before the commencement of the examination to facilitate verification of the admission tickets and identification certificates by the Chief Superintendent concerned. They should bring the admission tickets with them on each day of the examination. (*Admission ticket is a valuable document and is to be preserved by the candidates for production before this office for the issue of pass certificate of Departmental Tests*).
3. *The Admission Ticket Number, name of examination and subject only should be entered on the facing sheet of the answer books in spaces provided for the purpose. Candidates are prohibited from writing their name, Admission Ticket Numbers or anything else intended to give a clue to their identity on any other part of the answer book. The answer books of candidates who fail to write their Admission Ticket Numbers or who do not write their Admission Tickets Numbers distinctly and correctly or who write the Admission Ticket Number on any part of the books. Additional sheet etc., other than the facing sheet where space is provided for the purpose are liable to be invalidated.* It is the responsibility of the candidates to see by referring to the heading of the question paper that they get the question paper meant for the test for which they have applied.
4. The answer scripts written in any ink other than black, blue or blue black will be invalidated.
5. Candidates are prohibited from communication with copying from each other and from communicating with any person outside the examination hall.
6. Candidates are prohibited from using Mobile Phone, Calculators or any other electronic devices in the examination hall.
7. No candidate will be admitted to the examination who arrives more than half an hour after the commencement of the examination in the case of papers of two hours or more or duration of 15 minutes in the case of all other papers. No candidates will be allowed to quit the hall before the expiry of at least half an hour from the commencement of the examination and only after he has handedover his answer book to the Chief/Assistant Superintendent.
8. The signature of the candidate on the 1st page of the applications is mandatory and application of those who fail to sign there will be rejected on non-appealable grounds.
9. The non surrender of the answer script to the invigilator, or leaving the hall before the closing time without his/her permission will entail disciplinary action against the candidates concerned which may result in department for further appearance for any test conducted by the Kerala Public Service Commission.

Warning:—Any candidate resorting to malpractice in the examination hall will be sent out of the hall forthwith and his conduct will be reported by the Chief Superintendent to the Public Service Commission in such cases, the Commission may invalidate the answer scripts of the candidates and debar them from appearing for the tests and in the case of candidates in service the matter may also be reported to the Heads of Department and the Director of Vigilance Department for further action.

Note:—This admission ticket should be kept for being produced at the time of issue of Certificates.

On I. G. S.

KERALA PUBLIC SERVICE COMMISSION

To

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Candidate's name and address
(to be filled up by the Candidate)